

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

ANGELA VELASCO, individually and on)	
behalf of all others similarly situated,)	
)	
Plaintiff,)	No. 08-CV-00244-CNC
)	
v.)	Judge Charles N. Clevert, Jr.
)	
SOGRO, INC. d/b/a Budget Host Diplomat Motel,)	
)	
Defendant.)	

**BRIEF IN SUPPORT OF PLAINTIFF’S MOTION IN LIMINE NUMBER 3:
NO MENTION THAT DEFENDANT IS NOW COMPLIANT WITH FACTA**

Defendant violated FACTA approximately 2,500 times, and Defendant’s subsequent measures do not preclude Plaintiff and the class members’ rights to damages. These thousands of individuals are entitled to be recompensed for the heightened risk to their credit information, regardless of the actions taken by Defendant after this lawsuit was filed. FACTA is a strict liability statute, and once Defendant created the unlawful receipts, liability attached. Any subsequent remedial measures taken by Defendant are irrelevant and therefore should be barred.

WHEREFORE, Plaintiff respectfully requests that this Court enter an order in advance of trial barring Defendant, its witnesses, and attorneys from mentioning, referring to, interrogating with regard to or attempting to convey to the trier of fact in any manner, either directly or indirectly, by argument or otherwise, any evidence regarding Defendant’s compliance with FACTA after this litigation was commenced. Plaintiff further requests that this Court instruct all parties and their counsel to warn and caution each and every one of their witnesses to follow these instructions and not to make any reference to the fact that these motions have been filed and allowed.

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Respectfully Submitted,

By: /s/ Allison Krumhorn
One of Plaintiff's Attorneys